



**09-CV-05532-ORD**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICARDO LEE AGUILAR,

**Plaintiff:**

v.

CORRECTIONAL OFFICER ERIC  
ROBERTSON, et al.,

## Defendants.

Case No. 09-5532RBL/JRC

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creature, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
  - (2) Plaintiff's Motion for Default is DENIED. Defendants are not in default.
  - (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants, and to the Hon. J. Richard Creatura.

DATED this 15<sup>th</sup> day of January, 2010.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE